

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CHRISTOPHER F. CASTANIAS,

Plaintiff

v.

C-1-11-296

ALECIA C. LIPTON, *et al.*,

Defendants

ORDER

This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (doc. no. 48), plaintiff's objections thereto (doc. no. 52), defendant's response (doc. no. 53) and plaintiff's reply (doc. no. 54). The Magistrate Judge recommended that defendants' Motion to Dismiss (doc. no. 33) should be granted; plaintiff's federal claims should be dismissed with prejudice and plaintiff's state law claims should be dismissed without prejudice.

In his First Amended Complaint, plaintiff alleged federal and state law claims all stemming from his experiences with the Warren County, Ohio, Domestic Relations Court and the Warren County Ohio Child Support Enforcement Agency over a period of more than 10 years; in ¶ 116, he wrote he was nearly \$10,000.00 in arrearage in his child support on March 1, 2008; in ¶ 64, a contempt hearing was scheduled for September 28, 2009; in ¶ 74, a 90-day sentence was recommended. In ¶ 79, he was sentenced on November 29, 2009; in ¶ 83, he was released from jail on February 19, 2009; in ¶ 90, he was later arrested; in ¶ 95, he agreed to diversion; and, in his "Prayer for Relief," he has suffered various damages resulting from his sentence.

The 90-day sentence was affirmed by the Ohio Court of Appeals for the 12th District. Its judgment remains final.

Plaintiff objects to the Judge's Report and Recommendation on the grounds that his findings are contrary to law.

Upon a *de novo* review of the record, especially in light of plaintiff's objections, the Court finds that plaintiff's objections have either been adequately addressed and properly disposed of by the Judge or present

no particularized arguments that warrant specific responses by this Court. The Court finds that the Magistrate Judge has accurately set forth the controlling principles of law and properly applied them to the particular facts of this case and agrees with the Magistrate Judge.

Accordingly, the Court hereby ADOPTS AND INCORPORATES BY REFERENCE HEREIN the Report and Recommendation of the United States Magistrate Judge (doc. no. 48). Defendants' motion to dismiss (doc. 33) is GRANTED; plaintiff's federal claims are DISMISSED WITH PREJUDICE and plaintiff's state law claims are DISMISSED WITHOUT PREJUDICE.

This case is DISMISSED AND TERMINATED on the docket of this Court.

IT IS SO ORDERED.

s/Herman J. Weber
Herman J. Weber, Senior Judge
United States District Court